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PHA 4140
PATENT

TECH CENTER 1600/2900

OCT 22 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Mark G. Obukowicz et al.

Art Unit 1651

Serial No. 09/737,892

Filed December 15, 2000

Confirmation No. 2003

For SELECTIVE COX-2 INHIBITION FROM EDIBLE PLANT EXTRACTS

Examiner Michael V. Meller

October 15, 2002

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,

SIR:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated July 15, 2002, rejecting the following claims: 1-5, 35, 37, and 78-93.

The appeal fee of \$320.00 is submitted herewith.

If there are any additional charges in this matter, please charge our Deposit Account No.

19-1345.

Respectfully submitted,

Timothy B. McBride, Reg. No. 47,781
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

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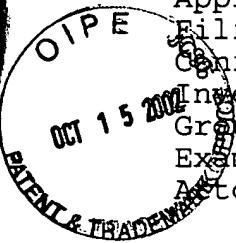
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TECH CENTER 1600/2900

Application Number 09/737,892
Filing Date December 15, 2000
Confirmation No. 2003
Inventor(s) M.G. Obukowicz et al.
Group Art Unit 1651
Examiner Name M. V. Meller
Attorney Docket Number PHA 4140



FEE TRANSMITTAL

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.
- The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.
- Applicant claims small entity status.

2. Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

FEE CALCULATION

1. BASIC FILING FEE Subtotal (1) \$ _____
(Type: _____)

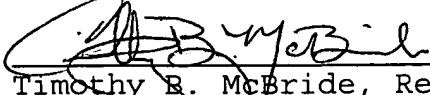
2. EXTRA CLAIM FEES Subtotal (2) \$ _____

Total Claims _____
Independent Claims _____
Multiple Dependent Claims _____

3. ADDITIONAL FEES Subtotal (3) \$ 320.00

- Surcharge - late filing fee or oath
- Surcharge - late provisional filing fee or cover sheet
- Extension for reply within _____ month
- Notice of Appeal
- Filing a Brief in Support of an appeal
- Request for ex parte Reexamination
- Petitions to the Commissioner
- Submission of Information Disclosure Statement
- Recording each patent assignment per property
- Request for Continued Examination
- Other: _____

TOTAL AMOUNT OF PAYMENT \$320.00



Timothy R. McBride, Reg. No. 47,781

October 15, 2002

Date

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